UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/579,349 | 01/30/2007 | Kug-Jin Yun | 51876P1077 | 2142 |

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| EXAMINER |
|---|
| OH, ANDREW CHUNG SUK |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/579,349 | YUN ET AL. |
| | Examiner | Art Unit | |
| | ANDREW OH | 2466 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on _28 October 2011_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

5) ☒ Claim(s) _16-24_ is/are pending in the application.

   5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☒ Claim(s) _16-24_ is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

10) ☐ The specification is objected to by the Examiner.

11) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some *  c) ☐ None of:

     1. ☐ Certified copies of the priority documents have been received.

     2. ☐ Certified copies of the priority documents have been received in Application No. _____.

     3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 03-11)     **Office Action Summary**     Part of Paper No./Mail Date 20111228

## 1.     DETAILED ACTION

## 2.     *Response to Arguments*

## 3.     Claim objections

4.     Applicant's arguments, see p5, filed 2011/10/28, with respect to claim objections have been fully considered and are persuasive. The objections of claims 22, 23, 24 has been withdrawn.

## 5.     Konrad, Murakami

6.     Applicant's arguments with respect to claims 16 and 21 have been considered but are moot in view of the new ground(s) of rejection.

## 7.     Serbanescu

8.     Applicant's arguments filed 2011/10/28 have been fully considered but they are not persuasive. On p6-7, the applicant argues that Serbanescu requires that the code be embodied on storage media such as video tape, CDROM or DVD which excludes transmission of packet data over a network. The applicant argues that in local transmission unsynchronization is not possible. *Response 1*: The examiner respectfully disagrees and argues that Serbanescu does not require that code be embodied on a storage media. Paragraph [0060] states that the multimedia information "may be embodied on various storage media". However, this multimedia information may also be made available over the Internet as taught in [0017, 0021, 0040]. For

example, [0017] states that "text and embedded codes to be provided from a remote

source over a wireless network or over the Internet". In addition, the examiner argues

that a local network is still a network, which requires packetized data and, thus,

anticipates the amended claims. In addition, the claims have no requirement where

unsynchronization must be possible, only that the sensory information is synchronized.

Thus, by the applicants admission, Serbanescu teaches the amended claim limitations.

9.     On p7, the applicant argues that Serbanescu fails to teach multiplexing or

packetizing. _Response 1_: The examiner respectfully disagrees and argues that

Serbanescu teaches both multiplexing and packetizing. Local computer networks and

the internal communications of computer peripherals inherently require packetization of

data. A brief glance at USB, serial bus, and other, protocols will confirm this truth. In

addition, Serbanescu teaches that audio and video information are included with

sensory information in [0061, 0065, 0066] and fig.3a, S3. Taking the broadest

reasonable interpretation, multiplex is the transmission of several messages along a

single channel of communication. Serbanescu teaches that the information within the

composite material are all transmitted in parallel to the physical devices. Thus,

Serbanescu teaches both packetization and multiplexing.


###### 10.     Claim Rejections - 35 USC § 102

11.     The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

12.     A person shall be entitled to a patent unless –

13.    (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**14.    Claim 16, 17, 18, 19, 20, 21, 22, 23, 24 rejected under 35 U.S.C. 102(e) as being unpatentable over Serbanescu (US-20030162595).**

15.    As to claim 16, 21: Serbanescu teaches a method for processing video/audio data synchronized with sensory data, comprising the steps of: receiving over a network multiplex data including video/audio data and sensory data in a predetermined form where the video/audio data is synchronized with the sensory data **(fig.3a, S3 and [0059-0066]: composite material may include action script with embedded sense codes and audio / video information; wherein the network is the local network of the local host depicted in fig.2 and fig.3a communicating via serial bus, parallel port, USB port, infrared port etc. and other local communication protocols; [0017, 0021, 0040]: transmission over wide area network)**, wherein the sensory data describes at least one of a touch, an odor and a taste which is to be expressed with the video/audio data **(fig.3a, S3 and [0059-0066])**, wherein said predetermined form are data packets containing said video/audio and sensors, synchronized data containing said video/audio and sensory synchronized data **(fig.3a, S3 and [0048], [0059-0066]: text, audio, video, and sense codes transmitted in parallel and synchronized together; wherein transmission over a local / wireless network using local communication protocols inherently requires packetized data)**; demultiplexing the multiplex data into the video/audio data and the sensory data **(fig.2, 18 and fig.3a, S3**

and [0047, 0050-0054, 0064-0066]: sense signals drive physical stimulation
devices which necessitates separation of the combined signals); and outputting
the video/audio data synchronized with at least one of the touch, the odor and the taste
according to the sensory data, wherein the touch, the odor and the taste are outputted
through a touch device, am odor device and a taste device, respectively (fig.2, 18 and
[0047, 0050-0054, 0064-0066]).


16.     As to claim 17: Serbanescu teaches the method as recited in claim 16,
transmitting comprising the step of: transmitting the data packets over the network to a
receiver (fig.3a, S3 and [0048], [0059-0066]: text, audio, video, and sense codes
transmitted in parallel and synchronized together; wherein transmission over a
local / wireless network using local communication protocols inherently requires
packetized data).


17.     As to claim 18, 22: Serbanescu teaches the method as recited in claim 16, 21,
wherein the sensory data describing the touch includes information on at least one of
whether the touch is described, whether right/left movement is described, whether
up/down movement is described, whether back/forth movement is described, a distance
of movement, a speed of movement, an acceleration of movement, whether right/left
rotation is described, an angle of right/left rotation, a speed of right/left rotation, and an

acceleration of right/left rotation **([0071]: tactile information includes up, down,**

**lateral directions, circular movements, and different speeds and intensities)**.

18.    As to claim 19, 23: Serbanescu teaches the method as recited in claim 16, 21,

wherein the sensory data describing the odor includes information on at least one of

whether the odor is described, a kind of the odor, and an intensity of the odor **([0013,**

**0049, 0061, 0080] and TABLE I: different types of odors emitted)**.

19.    As to claim 20, 24: Serbanescu teaches the method as recited in claim 16, 21,

wherein the sensory data describing the taste includes information on at least one of

whether the taste is described, a kind of the taste, and an intensity of the taste **([0007]:**

**different taste information)**.

## 20.    *Conclusion*

21.    Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

22.    A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

23.     Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW OH whose telephone number is (571)270-5273. The examiner can normally be reached on M-F   8:30AM - 5AM EST.

24.     If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Ryman can be reached on (571)272-3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25.     Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

26.                                                    27.

28.    /A. O./
29.    Examiner, Art Unit 2466

/Nittaya  Juntima/
Primary Examiner, Art Unit 2462